

Appl. No. 09/078,364
Amdt. Dated May 10, 2004
Reply to Office action of February 13, 2004
Attorney Docket No. P12309-US1
EUS/J/P/04-1091

REMARKS/ARGUMENTS

1.) Amendments

The Applicants have amended claims 1, 5 and 6 to more particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Claims 1-6 remain pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. §102(e)

The Examiner rejected claims 1, 2 and 4-6 as being anticipated by United States Patent No. 6,490,451 issued to Denman, *et al.* Whereas Denman fails to disclose each and every limitation of those claims, the Applicants traverse the rejection.

Claim 1 recites:

1. A method of signalling in a communications system comprising a Call Control level and a Bearer Control level, where the Call Control level comprises a plurality of Media Gateway Controllers and the Bearer Control level comprises a plurality of Media Gateways each of which is controlled by a Media Gateway Controller, the method comprising allocating to each Media Gateway at least one address, which address corresponds to one of a plurality of different addressing formats, and conveying these addresses between peer Media Gateway Controllers using Bearer Independent Call Control (BICC) or Transport Independent Call Control (TICC) by encapsulating said address using the Network Service Access Point (NSAP) addressing format as defined in ITU-T recommendation X.213. (emphasis added)

The Applicants' invention is based on a recognition of the deficiencies of using an addressing mechanism in the Bearer Independent Call Control (BICC), or Transport Independent Call Control (TICC), protocol that is specific to ITU-T E.164 addresses, as was the proposal at the time of Applicants' application. Instead, the Applicants

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recognized that the flexibility of the BICC/TICC protocol could be maximized by using the Network Service Access Point (NSAP) addressing format as defined in ITU-T recommendation X.213. Thus, as recited in claim 1, addresses of Media Gateways are conveyed between "peer Media Gateway Controllers using Bearer Independent Call Control (BICC)¹, or Transport Independent Call Control (TICC), by encapsulating [the] address using the Network Service Access Point (NSAP)² addressing format as defined in ITU-T recommendation X.213."

The Examiner asserts that Denman discloses:

"conveying [gateway] addresses between peer media gateway controllers by encapsulating then [sic] using a network service access point (NSAP) addressing format (e.g. col. 3 lines 51-65 & Figure 3. It is an inherent property of a packet network to encapsulate the address of each packet before forwarding it to the next gateway)." (emphasis added)

The Examiner's comments are internally inconsistent. The Examiner correctly notes, as recited in claim 1, that gateway addresses are conveyed between peer media gateway controllers by encapsulating them using a network service access point (NSAP) addressing format – i.e., the communication between controllers includes an encapsulated gateway address. The Examiner, however, then states that it is an inherent property of a packet network to encapsulate the address of each packet before forwarding it to the next gateway – i.e. in communications between gateways. Despite this error, the Examiner has failed to point to a teaching in Denman of encapsulating the

¹ The Bearer Independent Call Control limitation was included in original claim 6, which includes limitations analogous to those of claim 1.

² The Network Service Access Point (NASP) addressing format limitation, included in original claim 1, has been amended to expressly state that it is the format defined in ITU-T recommendation X.213, as described in the specification.

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address of a media gateway, in a message between media gateway controllers, using the Network Service Access Point (NSAP) addressing format.

NSAP has a particular meaning to those skilled in the art. The Network Service Access Point (NASP) addressing format limitation, included in original claim 1, has been amended to expressly state that it is the format defined in ITU-T recommendation X.213, as described in the specification. This aspect of Applicants' invention is described at page 6 of the specification. Use of the NSAP addressing format for encapsulating media gateway addresses when conveyed between media gateway controllers is heretofore unknown in the art, and Denman likewise fails to disclose the use of the Network Service Access Point (NASP) addressing format, as defined in ITU-T recommendation X.213. Therefore, Denman fails to anticipate claim 1.

Whereas independent claims 5 and 6 recite limitations analogous to those of claim 1, Denman also fails to anticipate those claims. Furthermore, whereas claims 2 and 4 are dependent from claim 1, and include the limitations thereof, those claims are also not anticipated by Denman. The Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claims 1-2 and 4-6 as being anticipated by Denman.

3.) Claim Rejections – 35 U.S.C. §103(a)

The Examiner rejected claim 3 as being unpatentable over Denman in view of Rose, *et al.* (US 6,396,840). The Applicants traverse the rejection.

As established *supra*, claim 1 is not anticipated by Denman because Denman fails to disclose the use of the Network Service Access Point (NASP) addressing format, as defined in ITU-T recommendation X.213, to encapsulate media gateway addresses

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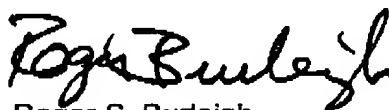
when conveyed between media gateway controllers. Rose also fails to disclose such use of NASP. Therefore, claim 3, which is dependent from claim 1 and includes the limitations thereof, cannot be obvious over Denman in view of Rose. The Applicants, therefore, respectfully request that the Examiner withdraw the rejection of claim 3 as being obvious over Denman in view of Rose.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 1-6.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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